



MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF COMMISSIONERS  
FOR THE  
COUNTY OF LEE, STATE OF NORTH CAROLINA

JANUARY 8, 2007

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 9:00 a.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Robert H. Brown, James C. Kelly, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, Linda A. Shook, and Amy L. Stevens.

Commissioner Amy Stevens delivered the invocation.

Chairman Brown led the pledge of allegiance.

Mr. Joe Cherry, Chairman of the Employee Selection Committee introduced Mr. Buddy Thomas, Maintenance Mechanic I with Lee County General Services as the *January 2007 Employee of the Month*. Chairman Brown presented Mr. Thomas with his awards which include a day off with pay, a *Star Award*, a framed certificate, a pizza, compliments of Papa John's Pizza, Coca Cola products from Sanford Coca Cola Bottling Company, and a movie rental from the Movie Gallery.

The Board considered additions/changes to the agenda. Commissioner Lemmond asked the Board to discuss and consider applying for a grant with RC&D for stream restoration at Buchanan Park. Commissioner Reives asked for an update on Mental Health Reform and discussion of a recent report submitted by the Economic Development Office. Chairman Brown stated he would present Board appointments for Commissioners and ask for Board approval of those appointments. County Manager David Smitherman asked the Board to consider a request from the Robert E. Lee Society to fly the First National Confederate Flag at the Lee County Courthouse. Commissioner Shook asked that budget amendment # 01/08/07/#10 be pulled from the Consent Agenda for discussion. Commissioner Lemmond moved to approve the agenda as amended. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Stevens  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Stevens moved to approve the Consent Agenda as amended, which consisted of the following items:

- December 4, 2006 regular meeting minutes
- December 4, 2006 closed session minutes
- December 12, 2006 special meeting minutes
- Tax Releases and Refunds for November 2006 (Copy Attached)
- Ratified letter to Charter Communications in reference to an agreement with the City of Sanford for broadcasting of meetings
- Resolution authorizing acceptance of the Floyd Knight School site (Copy Attached)
- Capital Project Budget Ordinance for the Floyd Knight School addition (Copy Attached)
- Capital Project Budget Ordinance for Central Carolina Community College repairs and renovations, and Dennis Wicker Civic Center roof repairs (Copy Attached)
- Revision to the Lee County Classification and Pay Plan to add a Social Worker II position in Family Casework (DSS) at Grade 66
- Budget calendar for FY 2007-08 (Copy Attached)
- Approval for the Robert E. Lee Society to fly the First National Confederate Flag at the Lee County Courthouse on January 19, 2007

Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Stevens  
Nay: None

The Chairman ruled the motion had adopted unanimously.

No one signed up to speak during the "Public Comments" section of the meeting.

The Board considered a matter carried over from the December 4, 2006, meeting concerning longevity pay for employees. At the December 2006 meeting, HR Director Joyce McGehee shared with the Board a survey completed from various cities and counties addressing their method for paying longevity pay when employees leave employment. Discussion centered on Sheriff's Department employees who left their positions after the election of a new Sheriff in December. It was suggested the longevity payments be made one time a year somewhere around Thanksgiving or Christmas and not on the employees'

anniversary date. The matter was deferred until the January meeting so staff could bring a recommendation back to the Board for consideration. HR Director Joyce McGhee discussed with the Board a revised longevity policy that recommended the following:

- To continue paying longevity under the current policy until June 30, 2007, in order for employees to be paid the budgeted longevity for the current fiscal year;
- The revised policy would become effective July 1, 2007;
- Annual longevity amounts are based on the length of continuous service with Lee County and payment will be determined as a percentage of an employee's annual rate of base pay as of the eligibility date of November 1<sup>st</sup>.
- Longevity pay shall be distributed each year on the Wednesday prior to Thanksgiving;
- Employees on Worker's Compensation leave shall receive longevity pay in the same manner as if they were working;
- Employees that become disabled, as defined by the Local Government Retirement System, prior to November 1<sup>st</sup> of the current year will receive longevity pro-rated to the date of disability retirement with the Local Government Retirement System on the Wednesday prior to Thanksgiving;
- In the event an employee retires prior to November 1<sup>st</sup>, in order to receive longevity pay, the employee must meet eligibility requirements as defined in Policy E-1, Section 3.5 Items A, B, and C to be considered a qualified retiree. The longevity payment will be pro-rated to the date of retirement and made on the Wednesday prior to Thanksgiving;
- Issues concerning paying longevity for departing Sheriff's Department employees will no longer be an issue. Section 3.2 of the Policy assures payment of all longevity prior to election; and
- Christmas grocery check cards that are normally passed out in the month of December will be discontinued. It was recommended that \$50 be distributed to employees that have not been employed five-years and do not meet eligibility for longevity pay. This would be paid in the same time frame as longevity pay in November.

After much discussion, the Board decided to vote separately on the two items – longevity issue and Christmas grocery store checks. Commissioner Stevens moved to amend the Lee County Personnel Policy as it relates to longevity pay and accept the above recommendations presented by the HR Director. Commissioner Paschal moved to table the matter until additional information could be furnished. Upon a vote of the tabled motion, the results were as follows:

Aye: Paschal

Nay: Brown, Kelly, Lemmond, Reives, Stevens, and Shook

The Chairman ruled the motion had been defeated by a six to one vote.

Upon a vote of Commissioner Stevens' original motion to approve revisions to the Lee County Personnel Policy as it relates to longevity issues, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook

Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Shook moved to table the matter concerning Christmas grocery checks until the January 22, 2007, meeting so staff could present alternate solutions and a financial analysis as to how this would affect the budget. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook

Nay: Stevens

The Chairman ruled the motion had been adopted by a six to one vote.

Mr. Steve Brewer, owner of The Flame Steakhouse, completed the required paperwork to appear before the Board to discuss concerns about the quality of restaurant inspections that are conducted by the Lee County Health Department. Mr. Brewer stated inspectors are not consistent with how various restaurants/food establishments are inspected and that health codes should be kept up-to-date. He further stated everyone needs to be on the same page and if changes occur everyone should be notified. Mr. Brewer also expressed concern that no one from the food service industry sits as a member on the Lee County Board of Health. Health Director Mike Hanes and Environmental Health Supervisor Roy Warren spoke in reference to the concerns expressed and stated they are working with Mr. Brewer to resolve the issues. Chairman Brown stated he would like to see a report from the Board of Health after they discuss this matter at their next meeting which will be held January 10, 2007. Commissioner Reives suggested that a hot-line be set up for citizens to call and submit concerns. Mr. Hanes stated he would like to see an advisory board established to address these type concerns. No action was taken other than a request for a report from the Board of Health concerning this matter.

Dr. Lynn Sadler, Co-Chairman of the 2007 Centennial Committee discussed upcoming events in relation to the centennial celebration. Dr. Sadler stated an historical calendar is available for sale, and someone has been hired to tape all of the year-long events. The official opening event is scheduled for

Tuesday, January 9, 2007, with a banquet at Carolina Trace. The Endor Iron Furnace tour is scheduled for Wednesday, January 10, 2007. The Centennial Committee has taken over the sale of license tags, and the documentary that was originally planned by Mr. Norm Allen may not be completed as intended. Dr. Sadler stated that Lee County has received statewide and National attention due to the Endor Iron Furnace. Commissioner Kelly stated he would like to see educational material related to the centennial incorporated in the school system. No action was taken.

The Board considered a request to purchase property located in Santa-Lee Park. County Attorney K. R. Hoyle told the Board the County required title to this vacant property by tax foreclosure in 1999. An offer of \$600.00, which is the outstanding taxes due, has been received for the property in question. Mr. Hoyle submitted a resolution setting out the upset bid procedure and asked for direction from the Board on how they wished to handle the matter. Commissioner Reives moved to approve a *Resolution Authorizing the Advertisement of an Offer to Purchase Lots in Santa-Lee Subdivision*, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request to purchase a vacant lot on West Humber Street in the amount of \$9,000.00. County Attorney K. R. Hoyle told the Board the County had acquired three (3) deeds from tax foreclosure for property on West Humber Street. This is the first offer to purchase that has been received since the County became owner in 1990. Mr. Hoyle submitted a resolution setting out the upset bid procedure and asked for direction from the Board on how they wished to handle the matter. Commissioner Reives moved to approve a *Resolution Authorizing the Advertisement of An Offer to Purchase a Vacant Lot on West Humber Street, Sanford, North Carolina*, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered budget amendment # 01/08/07/#10 that had been pulled from the Consent Agenda for further discussion. Commissioner Shook had questions in reference to Senior Services grant money, the CRISIS Intervention Program which is administered through the Department of Social

Services, and the transfer of funding for BRAC. After some discussion, Commissioner Lemmond moved to approve budget amendment # 01/08/07/#10, a copy of which is attached to these minutes and by this reference made a part hereof.

Commissioner Lemmond discussed with the Board a request to apply for a grant through the Environmental Impact Resource Conservation & Development (RC&D) for stream restoration at Buchanan Park. Mr. Lemmond stated banks along the stream at the Park are eroding and the road is washing out near the parking area that leads to the children's park. He further stated the bridge across the stream needs to be repaired or replaced. Mr. Lemmond stated it will cost approximately \$75,000 for the above-mentioned project renovations and the County may be asked to contribute matching funds for the project. After some discussion, Commissioner Stevens moved to submit paperwork to RC&D for a \$75,000 grant to be used for stream restoration at Buchanan Park. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook

Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives discussed with the Board two recent articles that appeared in *The News and Observer* in reference to Mental Health Reform. The Clerk was asked to furnish each Commissioner with a copy of the two articles in question, copies of which are attached to these minutes and by this reference made a part hereof. No action was taken.

Commissioner Reives discussed a recent report submitted by Economic Development Director Bob Heuts in reference to a breakdown of what EDC has spent on incentives over the past five (5) years. Mr. Reives stated he would like an update from Mr. Heuts on recent changes to incentives offered. After some discussion, Chairman Brown asked the County Manager to invite Mr. Heuts to the January 22, 2007, meeting to discuss these matters. Commissioner Shook asked for more detailed information on the projects discussed in the EDC report. She also stated this might be good discussion for the upcoming February Commissioner's Retreat.

The Board considered an appointment to the Mid-Carolina Workforce Development Board. The Clerk ran an ad in *The Sanford Herald* on December 15, 2006, asking for interested people to submit applications. One application was received from Mr. Richard (Bud) Schlademan. Commissioner Lemmond moved to accept the application submitted by Mr. Richard (Bud) Schlademan to serve on the Mid-Carolina Workforce Development Board and filling the unexpired term of Mr. James Powers. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an appointment to the Industrial Facilities Financing Authority. Mr. Robert Gray submitted an application to serve on the above mentioned Board. Chairman Brown moved to accept the application submitted by Mr. Robert Gray to serve the unexpired term of Ms. Ophelia Pivet on the Industrial Facilities Financing Authority. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an appointment to the Lee County Juvenile Crime Prevention Council. A memo was forwarded to Sheriff Tracy Carter from Social Services Director Brenda Potts in reference to an appointment to the Lee County Juvenile Crime Prevention Council. Deputy Kevin Kirkman had previously served on this Council and Sheriff Carter was asked if he wished for Mr. Kirkman to continue serving or be replaced. Sheriff Carter's recommendation to Mrs. Potts was that Mr. Kevin Kirkman continues serving on the Lee County Juvenile Crime Prevention Council. Commissioner Stevens moved to accept Sheriff Carter's recommendation. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an appointment to the Lee County Youth Involvement Board. DSS Director Brenda Potts submitted a memo to Sheriff Tracy Carter in reference to an appointment to this Board. Deputy Kevin Kirkman had previously served and Sheriff Carter was asked if he wished for Mr. Kirkman to continue serving or be replaced. Sheriff Carter's recommendation to Mrs. Potts was that Mr. Kevin Kirkman continues serving on the Lee County Youth Involvement Board. Commissioner Reives moved to accept Sheriff Carter's recommendation. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an appointment to the Lee County Criminal Justice Advisory Board. DSS Director Brenda Potts had submitted a memo to Sheriff Tracy Carter in reference to an appointment to the Lee County Criminal Justice Advisory Board. Former Chief Deputy Kevin Bryant had served on this Board and Sheriff Carter was asked to name a replacement for him. Sheriff Carter's recommendation to Mrs. Potts was that Chief Deputy Randall Butler serves on the Lee County Criminal Justice Advisory Board. Commissioner Reives moved to accept Sheriff Carter's recommendation. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an appointment to the Lee County Child Protective Team. DSS Director Brenda Potts had submitted a memo to Sheriff Tracy Carter in reference to an appointment to the Lee County Child Protective Team. Former Detective Todd Hinnant had previously served on this Board and Sheriff Carter was asked to recommend a replacement. Sheriff Carter's recommendation to Mrs. Potts was that Detective Captain Jeff Johnson replaces Mr. Hinnant on the Lee County Child Protective Team. Commissioner Reives moved to accept Sheriff Carter's recommendation. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously

Chairman Brown read aloud Commissioner appointments for 2007, a copy of which is attached to these minutes and by this reference made a part hereof. Commissioner Reives moved to accept appointments as presented by Chairman Brown. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented sales tax information for 2006-07 and answered questions from the Board. No action was taken.

Strategic Initiatives Director Lesa Price gave the Board an update on BRAC activities and upcoming meetings. Ms. Price stated the educational fair will be held in February in Atlanta and plans are underway for this forum.



County Manager David Smitherman informed the Board the Annual Planning Retreat will be held February 12-13, 2007. Location for the Retreat has not been decided to date but will be held in Lee County. Details for the agenda are still in the planning stages. Commissioner Reives asked the agenda be distributed well in advance of the Retreat in order to give Commissioners time to study the packet.

Commissioner Stevens asked that a thank-you letter be sent to Ms. Kelly Wright for the recent \$700.00 donation to purchase additional pet beds for the Lee County Animal Shelter. A group of "concerned citizens" contributed money for the donation.

Commissioner Shook discussed Legislative issues she would like to discuss at the Commissioners Planning Retreat.

Commissioner Paschal asked that sympathy cards be sent to the families of Representative Howard Hunter and Senator Robert Holloman who both passed away earlier in the week. Chairman Brown asked the Clerk to send cards to the above mentioned families.

Chairman Brown reminded Commissioners of the upcoming groundbreaking ceremonies for the new Middle School that will be held at 10:00 a.m., February 16<sup>th</sup> and Floyd Knight School project at 10:00 a.m., February 17<sup>th</sup>.

With no further business to come before the Board, Commissioner Kelly moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Stevens, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

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Robert H. Brown, Chairman  
Lee County Board of Commissioners

ATTEST:

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Gaynell M. Lee, Clerk